

Message Text

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51

ACTION EUR-12

INFO OCT-01 ISO-00 DODE-00 EURE-00 SSO-00 NSCE-00 SS-15

NSC-05 USIE-00 CIAE-00 PM-03 INR-07 L-02 ACDA-05

NSAE-00 PA-01 PRS-01 SP-02 TRSE-00 SAJ-01 INRE-00

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O R 021432Z MAY 75

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC IMMEDIATE 6320

INFO USMISSION NATO

C O N F I D E N T I A L OTTAWA 1641

EO 11652 GDS

TAGS MARR CA

SUBJ NORAD AGREEMENT

REF STATE 97102

1. GOC CABINET MAY 1 APPROVED NORAD AGREEMENT TEXT AS PROVIDED REFTEL WITH SOME MINOR TYPOGRAPHICAL CORRECTIONS AND FOLLOWING SUBSTANTIVE ALTERATIONS:

2. CABINET DECIDED AGAINST INCLUSION UNILATERAL USE CLAUSE ON GROUNDS THAT PARLIAMENTARY COMMITTEE HAD RECEIVED FROM GOC, AND MADE MENTION THEREOF IN ITS REPORT, ASSURANCES THAT IN EVENT OF UNILATERAL US USE, CANADIAN PERSONNEL WOULD BE SUBSTITUTED FOR BY US PERSONNEL.

3. IN NUMBERED PARAGRAPH 6 OF NORAD PRINCIPLES SECTION, PHRASE "WITH APPROVAL OF HIGHER NATIONAL AUTHORITIES" WAS REINSERTED AT END OF FIRST SENTENCE IN DRAFT PRESENTED TO AND APPROVED BY CABINET. GOC RATIONALE IS THAT THIS PHRASE WILL CALM NATIONALISTS WHO COULD OTHERWISE CLAIM THAT AMERICAN CINCPAC HAS CARTE BLANCHE FOR IMPLEMENTATION WITHOUT FURTHER REFERENCE TO CONFIDENTIAL

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GOC. EXTAFF OFFICIALS POINT OUT THAT PHRASE DOES

NOT SAY "ONLY AFTER REFERRAL TO AND APPROVAL BY HIGHER NATIONAL AUTHORITIES" AND THEREFORE DOES NOT DEROGATE IN ANY WAY FROM IMPLEMENTATION AUTHORITY ALREADY POSSESSED BY CINCNORAD WHICH HAS, IN FACT, BEEN DELEGATED TO HIM "WITH APPROVAL OF HIGHER NATIONAL AUTHORITIES."

4. CABINET-APPROVED TERMINATION ARTICLE READS AS FOLLOWS: "THE PRESENT AGREEMENT WILL REMAIN IN EFFECT FOR A PERIOD OF FIVE YEARS FROM MAY 12, 1975 DURING WHICH PERIOD ITS TERMS MAY BE REVIEWED AT ANY TIME UPON THE REQUEST OF EITHER PARTY. IT MAY BE TERMINATED BY EITHER GOVERNMENT, FOLLOWING TWELVE MONTHS' WRITTEN NOTICE TO THE OTHER." CABINET FELT IT HAD TO ACCEPT THIS FORMULATION IN ORDER TO DEMONSTRATE RESPONSIVENESS TO PARLIAMENTARY RECOMMENDATIONS CONTAINED IN COMMITTEE REPORT.

5. GOC PROPOSES FOLLOWING REDRAFT OF NORAD OBJECTIVES STATEMENT TO REPLACE REFTTEL FORMULATION ("NORAD WILL FUNCTION...ATTACKS WITH AVAILABLE FORCES") FOR INSERTION AFTER THE SIXTH PARAGRAPH OF THE TEXT:

"THE PRIMARY OBJECTIVES OF NORAD WILL BE

(A) TO ASSIST EACH COUNTRY TO SAFEGUARD THE SOVEREIGNTY OF ITS AIRSPACE;

(B) TO CONTRIBUTE TO THE DETERRENCE OF ATTACK ON NORTH AMERICA BY PROVIDING CAPABILITIES FOR WARNING OF ATTACK AND FOR DEFENCE AGAINST AIR ATTACK;

(C) SHOULD DETERRENCE FAIL, TO ENSURE AN APPROPRIATE RESPONSE AGAINST ATTACK BY PROVIDING FOR THE EFFECTIVE USE OF THE FORCES OF THE TWO COUNTRIES AVAILABLE FOR AIR DEFENCE."

THIS DRAFT REPRESENTS RESULT OF CONSIDERABLE INTER-DEPARTMENTAL NEGOTIATING BETWEEN DND, WHO DID NOT WANT SUCH STATEMENT INCLUDED IN AGREEMENT, AND EXTAFF. FINAL INTERDEPARTMENTAL AGREEMENT NOT REACHED UNTIL APRIL 30, WHICH PRECLUDED PRIOR CLEARANCE WITH USG. STATEMENT WAS NOT PRESENTED TO CABINET AS SUBSTANTIALLY AGREED TEXT WITH REST OF DRAFT, BUT WAS PROVIDED BY MEMO TO EXTAFF SECSTATE MACEACHEN ON EVE

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OF CABINET MEETING FOR DISCUSSION WITH HIS CABINET COLLEAGUES. WHILE THIS LEAVES MEASURE OF LEEWAY FOR US/GOC FURTHER NEGOTIATED CHANGES, GOC HOPES TEXT AS DRAFTED WILL BE ACCEPTABLE TO USISINCE ANY CHANGE COULD LEAD TO FURTHER EXTAFF/DND WRANGLING.

6. UPON NOTIFICATION THAT ABOVE CHANGES ARE ACCEPTABLE TO USG, EMBASSY PLANS TO TRANSMIT FULL FINAL TEXT

BY EXTAFF-CLEARNED TELEGRAM. EXTAFF HOPES THAT
FORMAL EXCHANGE OF NOTES CAN BE COMPLETED BY MAY 8
IN ORDER FOR AGREEMENT TO BE TABLED IN COMMONS BY
EXTAFF SECSTATE DURING QUESTION PERIOD WHICH BEGINS
AT 11:00A.M. EDT MAY 9. FRENCH TEXT OF AGREEMENT
INCORPORATING ABOVE CHANGES BEING TRANSMITTED BY
SEPTTEL.
JOHNSON

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NNN

Message Attributes

Automatic Decaptioning: X
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Concepts: ALLIANCE, TEXT, COLLECTIVE SECURITY AGREEMENTS
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Copy: SINGLE
Draft Date: 02 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
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Enclosure: n/a
Executive Order: GS
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05 JUL 2006

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TAGS: MARR, CA, US, NATO, NORAD
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